



\$~55

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7015/2024**
WASIM & ORS.

.....Petitioner
Through: Mr. Sameer Khan, M.r Abdul Gaffar,
Mr. Nakul Sharma and Mr. Nasir
Hussain, Advocates with petitioners
in person.

versus

STATE (GOVT. OF NCT) OF DELHI & ANR.

.....Respondent
Through: Mr. Satinder Singh Bawa, Ld. APP
for State with SI Shalini, P.S.
Jaffrabad.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **05.09.2024**

CRL.M.A. 26769/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 7015/2024

3. A Petition under Section 528 BNSS has been filed on behalf of the petitioners for quashing of FIR No.326/2023 dated 13.07.2023 under Sections 326/354/376(2)(N)/506 of IPC registered at Police Station Jaffarabad.
4. Briefly stated, the petitioner No.2 got married to respondent No.2 on



14.10.2009 according to Muslim rites and rituals and from the marriage two children were born. On 13.07.2023 due to certain matrimonial differences, respondent No2 left the matrimonial house and started living separately from petitioner No.2.. On 13.07.2023 the respondent No.2 got an FIR No.326/2023 registered under Sections 323/354/376(2)(n)/506 IPC at Police Station Jaffarabad against the petitioners. In July, 2023, the respondent No.2 filed a Complaint under Section 12 of D.V Act. The matter was referred to Mediation Centre, where on 01.05.2024 the parties arrived at a Settlement.

5. It is submitted that both the petitioners and respondent No. 2 have already sorted out their all differences with the intervention of their respective persons of the vicinity and they have left no grudge or grievance against each other in any manner whatsoever. Therefore, the Petition be quashed.

6. The complainant is present in the Court and submits that the petitioners are the two brother-in-laws (brothers of Petitioner No.2/husband) and there were matrimonial disputes inter-se the parties. There were allegations of theft of jewellery made against her and as a counter she made the complaint against the two brother-in-law. However, now the differences have been resolved and the matter has been amicably settled. The petitioner No.2 and respondent No.2 are now residing together since 24.04.2024. The respondent No.2 submits that she no objection if the FIR is quashed against the petitioners on account of the settlement dated 01.05.2024 already arrived at between the parties. The original MOU dated 14.08.2024 has also been accepted to have been entered inter-se the parties. It is submitted that the Settlement has been arrived at between the parties without any pressure,



force and coercion and the parties undertake to abide by the terms of the MOU dated 14.08.2024.

7. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

8. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 326/2023 registered at Police Station Jaffarabad, for offences punishable under Sections 323/354/376(2)(n)/506 IPC of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* all the petitioners.

9. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024/va